

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

LIBERTARIAN PARTY OF TENNESSEE;)
ANTHONY WALL, GREEN PARTY OF)
TENNESSEE; KATHLEEN A. CULVER,)
CONSTITUTION PARTY OF TENNESSEE;)
and JOAN CASTLE,)

Plaintiffs,)

vs.)

BROOK THOMPSON, Coordinator of)
Elections for the State of)
Tennessee; and RILEY E. DARNELL,)
Secretary of State for the)
State of Tennessee,)

Defendants.)



Case No. 3:08-0063
Judge Haynes

COPY

DEPOSITION OF:

JOAN CASTLE

Taken on Behalf of the Defendants

November 13, 2009

VOWELL & JENNINGS, INC.
Court Reporting Services
207 Washington Square Building
214 Second Avenue, North
Nashville, Tennessee 37201

including:

- (a) The date when you first started any actions to obtain recognition;
- (b) Identification of all actions taken up to the filing of the Complaint in this matter, including the date of each action;
- (c) Identification of all actions taken after the filing of the Complaint in this matter, including the date of each action; and
- (d) Identification of all persons taking the specific actions.

ANSWER:

(a) In 2001, we sent 5,430 signatures to the Tennessee State Division of Elections.

(b) On August 13, 2001, I contacted Joel Whitenton, attorney, in the Tennessee State Division of Elections. I took notes on how he interpreted the Code. We needed 24,406 approved signatures, a statewide meeting and election of a State Executive Committee that had to be certified, appointed county primary boards (5 per county) and nomination of a Governor, General Assembliman, Senator and U.S. Representative. He advised me that Pansey Maxwell headed up the petitions end. Once signatures were done, he told me to call him back and he would help us walk through this. I faxed an introductory letter to Pansey Maxwell and received a call from Beth Henry-Robertson (615)741-7956. She advised me that they would prefer 5,000 signatures at a time in order to give us accepted signature numbers. We could send in our first set, whatever number we had, at the end of August, 2001. I was told that the legal team was Beth, Joel, and Brook Thompson, coordinator of elections. August 1, 2002 was the state primary, so our drop-dead date for being a party (convention and county requirements met) was May 3, 2002. I was told to confirm dates as we go as April 3rd might be required. I faxed a copy of the petition to Pansey and received approval on August 15, 2001. Beth confirmed that no certified copies or notary were necessary.

(c) Contacted State Elections office for dates to get elector petitions and deadlines; 4/18/08

(d) Joan Castle

7. If the actions identified in response to Interrogatory No. 6 includes the obtaining of signatures on petitions, please identify with specificity: (a) the date on when signatures on

petitions were first sought; (b) how many petitions the Constitution Party has circulated for signatures; (c) where the Constitution Party has circulated petitions for signatures; (d) how many people were involved in obtaining signatures on petitions, including their identities; (e) how many signatures were obtained prior to the filing of the Complaint in this matter; (f) how many signatures were obtained after the filing of the Complaint in this matter; and (g) the last date on which the Constitution Party sought to obtain signatures on a petition.

ANSWER:

(a) August, 2001 – November, 2001

(b) 362 individual petitions

(c) State-wide

(d) Joan Castle – 2586 Hocksett Cove, Germantown, TN 38139

James Webb – 2086 Oliver Avenue, Memphis, TN 38104

Charles Lewis – 311 Perkins Road Ext., Memphis, TN 38117

We mailed a petition to everyone we had on our list and did not ever know exactly who did them. They were given my address to send them back to me.

(e) 5,430

(f) -0-

(g) November, 2001 for regular signatures; however, in 2004 and again this year we must get 275 approved signatures to get our presidential candidate on the ballot as an independent candidate.

8. With respect to any petitions identified in response to Interrogatory No. 7, please identify any person(s), including name and address, who refused to sign a petition on the grounds that they were not a member of the Constitution Party.

ANSWER: No record (not asked).